

#9
J.D.
12/29/03

Mei, Xu

From: Daniel.McLoughlin@WolfGreenfield.com
Sent: Monday, December 08, 2003 4:58 PM
To: Mei, Xu
Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

Examiner Mei,

Thanks for responding. We look forward to hearing from you at the end of the week.

Best regards,

Dan

Daniel P. McLoughlin

Associate Attorney at Law
 dmcloughlin@wolfgreenfield.com
 direct dial 617.573.7930

Wolf Greenfield

Specialists in Intellectual Property Law
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, Massachusetts 02210-2206
 617.720.3500 | 617.720.2441 fax

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-----Original Message-----

From: Xu.Mei@USPTO.GOV [mailto:Xu.Mei@USPTO.GOV]
Sent: Monday, December 08, 2003 4:33 PM
To: McLoughlin, Daniel P.
Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

mr. mcloughlin:

as a matter of fact, i was just talked to my boss about this case before i got your voice mail...

he suggested a few new areas i need to go to do a search...and i should have the case done by the end of this week...

thanks...

xu mei

-----Original Message-----

From: Daniel.McLoughlin@WolfGreenfield.com [mailto:Daniel.McLoughlin@WolfGreenfield.com]
Sent: Wednesday, October 15, 2003 9:27 AM
To: Mei, Xu
Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

Examiner Mei,

12/28/03

Thank you for the email communications below. I appreciate that the situation is somewhat out of your control, but please let me know if there is anything I can do to expedite the process. Would it help if I called someone at the clerical place? If so, please provide the telephone number and I will be happy to call them.

Yours truly,

Daniel P. McLoughlin

-----Original Message-----

From: Xu.Mei@USPTO.GOV [mailto:Xu.Mei@USPTO.GOV]

Sent: Thursday, October 02, 2003 4:27 PM

To: McLoughlin, Daniel P.

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

mr. mcloughlin:

the case is currently at the clerical place for entering the paper(s) u faxed in...i will have to wait for it until he/she finish...thanks...

xu mei

-----Original Message-----

From: Daniel.McLoughlin@WolfGreenfield.com

[mailto:Daniel.McLoughlin@WolfGreenfield.com]

Sent: Wednesday, September 24, 2003 2:29 PM

To: Mei, Xu

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

I understand. I just wanted to ensure that we did not make a mistake.

Regards,

Dan

-----Original Message-----

From: Mei, Xu [mailto:Xu.Mei@USPTO.GOV]

Sent: Wednesday, September 24, 2003 2:27 PM

To: McLoughlin, Daniel P.

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

that's the correct fax #...it's just something out of my control and i just want to inform you first...

thanks...

xu mei

-----Original Message-----

From: Daniel.McLoughlin@WolfGreenfield.com

[mailto:Daniel.McLoughlin@WolfGreenfield.com]

Sent: Wednesday, September 24, 2003 2:24 PM

To: Xu.Mei@USPTO.GOV

Cc: Robyn.Lecesse@WolfGreenfield.com

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

Examiner Mei,

We faxed the Comments to the following fax number: (703) 872-9314. If the Comments should be sent to different fax number, please let us know.

- Dan

-----Original Message-----

From: Mei, Xu [mailto:Xu.Mei@USPTO.GOV]

Sent: Wednesday, September 24, 2003 2:03 PM

To: McLoughlin, Daniel P.

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

mr. mcloughlin:

i got your emails...and will ask the clerk to enter those emails as you indicated...but not the fax yet...i have to wait for the clerk to enter that first if u fax in an official paper...than goes from there...

we have a central fax system and i don't have access to it...

thanks...

xu mei

-----Original Message-----

From: Daniel.McLoughlin@WolfGreenfield.com

[mailto:Daniel.McLoughlin@WolfGreenfield.com]

Sent: Wednesday, September 17, 2003 7:13 PM

To: Daniel.McLoughlin@WolfGreenfield.com; Mei, Xu

Cc: Rich.Giunta@WolfGreenfield.com;

Robyn.Lecesse@WolfGreenfield.com

Subject: RE: U.S. Patent Application Serial No. 09/483,653: Proposed Amendments

September 17, 2003

Examiner Xu Mei

Art Unit 3712

United States Patent and Trademark Office

Washington, D.C. 20231

**Re: PROPOSED DRAFT AMENDMENTS
for:**

**U.S. Patent Application Serial No.:
09/483,653**

Confirmation No.: 8646
**Titled: "Methods And Apparatus For
Producing Animal Sounds To Lure Animals"**

Filed: January 14, 2000
Attorney Docket No.: G0671.70000US00
(formerly G00671.70000)

Dear Examiner Mei:

MPEP 713.01 specifies that, for an Internet email used to conduct an exchange or communication similar to those exchanged during telephone or personal interviews, a paper copy of contents of the Internet email MUST be placed in the patent application to which it pertains, as required by the Federal Records Act, in the same manner as an Examiner Interview Summary Form is entered.

Accordingly, Applicant respectfully requests that you place in the patent application file for this application paper copies of: 1) the email sent by the Applicant to you on 7/15/03, the email sent to you earlier today (9/17/03) by Applicant, and 3) this current email.

Further, Applicant respectfully proposes amending claim 87 as shown below. Similar to the proposed amendments for claims 26, 36, 47 and 70, please call Applicants' representatives to indicate whether the amendment to claim 87 is acceptable. If acceptable, we authorize you to enter the proposed amendment by an Examiner's Amendment so that claim 87 will be allowed. We will then send you clean (i.e., non-marked-up) copy of claim 87 as amended (along with the clean copies of the other claims) to facilitate the Examiner's Amendment.

87. An apparatus for luring an animal to an area in an environment, the method comprising:

a recording medium on which is stored a first signal representing a first pre-recorded sound that simulates at least a first animal sound made by a species of animal in the environment and a second signal representing a second pre-

recorded sound that simulates at least a second animal sound, distinct from the first animal sound, made by a species of animal in the environment;

a user interface including a first button to select the first pre-recorded sound and a second button to select the second pre-recorded sound;

means for contemporaneously playing back the first and second pre-recorded sounds in response to the first button and the second button being pressed to produce a combination of sounds for luring the animal; and

a hand-held unit to house the recording medium, the user interface and the means for playing back during operation of the apparatus.

We look forward to hearing from you.

Yours truly,

Dan

Daniel P. McLoughlin

Associate Attorney at Law

dmcloughlin@wolfgreenfield.com

direct dial 617.573.7930

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-----Original Message-----

From: McLoughlin, Daniel P.

Sent: Wednesday, September 17, 2003 5:49 PM

To: Examiner Xu Mei (Xu.Mei@USPTO.GOV)

Cc: Giunta, Rich; Lecesce, Robyn

Subject: U.S. Patent Application Serial No. 09/483,653:
Proposed Amendments

September 17, 2003
Examiner Xu Mei
Art Unit 3712
United States Patent and Trademark
Office
Washington, D.C. 20231

**Re: PROPOSED DRAFT
AMENDMENTS for:
U.S. Patent Application Serial
No.: 09/483,653
Confirmation No.: 8646
Titled: "Methods And Apparatus
For Producing Animal Sounds To Lure
Animals"
Filed: January 14, 2000
Attorney Docket No.:
G0671.70000US00 (formerly
G00671.70000)**

Dear Examiner Mei:

Applicants' representatives
appreciate your courtesy in granting and
conducting a telephone interview on
September 17, 2003 between you and
Applicants' representative, Daniel P.
McLoughlin, which is fully summarized
below.

During the telephone interview, you
indicated that the application would be in
condition for allowance if some minor
amendments were made to the claims.
Specifically, you indicated that claims 26,
36, 47 and 70 would be allowable if
amended to recite that the first and second
sounds are different or distinct sounds,
and if claim 26 was further amended to
include an additional act of storing the
first and second sounds. In response,
Applicants indicated that amending
claims 26, 36, 47 and 70 to recite distinct
sounds was acceptable, but suggested, as
an alternative to adding an act of storing
to claim 26, adding an act of operating a
device including a recording medium
having the first and second sounds stored

thereon. You agreed that such amendment would be acceptable.

Accordingly, Applicants propose amending claims 26, 36, 47 and 70 as shown below. As you suggested, please call Applicants' representatives to indicate whether the amendments to the claims are acceptable. If acceptable, we authorize you to enter the proposed amendments by an Examiner's Amendment so that claims 26, 36, 47, 70 and 78 and their dependent claims will be allowed, and to cancel the remaining claims without prejudice or disclaimer to filing a continuation application. We will then send you clean (i.e., non-marked-up) copies of the independent claims as amended (and dependent claims amended for clarification as necessary) to facilitate the Examiner's Amendment.

For your convenience, the proposed amendments to the claims below also include the proposed amendments from July 15, 2003, which will also be entered by Examiner's amendment should the amendments below be deemed acceptable.

26. A method of luring an animal to an area in an environment, the method comprising ~~an act~~ acts of:
(A) operating a device that includes a recording medium having first and second separately pre-recorded sounds stored thereon, wherein the first pre-recorded sound simulates a first sound made by a species of animal in the environment and the second pre-recorded sound simulates a second sound, distinct from the first sound, made by a species of animal in the environment; and

~~(B)-(A)~~

contemporaneously playing back the first and second pre-recorded sounds ~~that were recorded separately and that respectively simulate first and second sounds made by a species of animal in the environment,~~

wherein the contemporaneous playing back of the first and second prerecorded sounds produces a combination of sounds for luring the animal.

36. An apparatus for luring an animal to an area in an environment, the apparatus comprising:

a recording medium storing first and second pre-recorded sounds that simulate first and second distinct sounds each made by a species of animal in the environment; and

a controller to play back the first and second pre-recorded sounds contemporaneously to produce a combination of sounds for luring the animal.

47. An apparatus for luring an animal to an area in an environment, the apparatus comprising:

means for storing first and second pre-recorded sounds that simulate first and second distinct sounds each made by a species of animal in the environment; and

means for playing back the first and second pre-recorded sounds contemporaneously to produce a combination of sounds for luring the animal.

70. An apparatus for luring an animal to an area in an environment, the apparatus comprising:

a recording medium on which is stored a first signal representing a first pre-recorded sound that simulates at least a first animal sound made by a species of animal in the environment and a second signal representing a second pre-recorded sound that simulates at least a second animal sound, distinct from the first animal sound, made by a species of animal in the environment;

a user interface including a first button to select the first signal and a second button to select the second signal;

a controller to play back contemporaneously the first and second pre-recorded sounds, in response to the first button and second button being pressed, to produce a combination of sounds for luring the animal; and

a hand held unit to house the recording medium, the user interface and the controller during operation of the apparatus.

We look forward to hearing from you.

Yours truly,

Dan

Daniel P. McLoughlin

Associate Attorney at Law

dmcloughlin@wolfgreenfield.com

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recipient, please notify me immediately by
replying to this message. Please destroy all
copies of this message and any attachments.
Thank you.*